

## REMARKS

By the Amendment herewith, independent claims 1, 10, 19, 22, 23, 26, 28 and 33 are amended to clarify the feature of how service components are transmitted using time-slicing. Support for the foregoing clarifications exists in the specification at pages 7 and 9, and in Figure 2. Claims 31 and 38 are cancelled without prejudice.

Referring now to the outstanding Office Action, claim 30 is objected to because of the use of “catergorised.” As requested by the Examiner, this word is deleted from claim 30.

Accordingly, the Examiner’s informality objection should be reconsidered and withdrawn.

Claims 40-42 are then rejected under 35 USC Section 101 as being directed to non-statutory subject matter. In particular, the Examiner suggests that these claims should be amended to recite a “computer-implemented method including at least some of the claimed steps being performed by a computer.” (Action, page 3). The Examiner also rejects claims 40-42 under 35 USC Section 112, first paragraph, as failing to comply with the written description requirement. More specifically, the Examiner contends that there is no support in the specification for “a computer program product comprising a computer readable medium” and “program code.”

The foregoing rejections are respectfully disagreed with, and are traversed below.

Claims 40-42 are cancelled without prejudice. New claims 43-46 are added, in view of the Examiner’s suggestion. Applicant also respectfully directs the Examiner’s attention to the disclosure of “memory” storing, for example, service components, set forth in Applicant’s specification (see, e.g., Abstract) and Figures, which can provide support for the recitation of “computer readable medium.” Accordingly, reconsideration and withdrawal of the above rejections is requested.

Regarding the rejections based upon art, claims 28, 33, 35 and 42 are rejected under 35 USC Section 102(e) as being unpatentable over Perkes (US Patent Publication 2003/0110503 A1, hereinafter “Perks”).

As indicated above, all of Applicant's independent claims are amended to clarify the recited "time-slicing" feature. As recognized by the Examiner at page 7 of the Action, Perkes does not disclose "the service components being transmitted in a time-sliced manner on a given channel." Accordingly, for at least this reason, the above rejection should be reconsidered and withdrawn.

Claims 1-2, 5-10, 12, 14-20, 23-24, 29-32 and 36-41 are rejected under 35 USC Section 103(a) as being unpatentable over Perkes in view of Bonomi et al. (US Patent 6,769,127, hereinafter "Bonomi"). Lastly, dependent claims 3-4, 11, 13, 21-22, 25-27 and 34 are rejected under 35 USC Section 103(a) as being unpatentable over Bonomi in view of Paila (US Patent Publication 2003/0096614, hereinafter "Paila").

The above rejections are respectfully disagreed with, and are traversed below.

Perkes discloses a system for providing media in a media on demand format. The media may be provided to a mobile terminal (see, for example, paragraph 129 of Perkes). The media may include, for example, video, music, audio, games etc. (see paragraph 62). Each media object comprises information relating to a media type and a meta-data descriptor (see, for example, the abstract). Perkes does not disclose or suggest any transmission of service components in a time-sliced manner, as recited in Applicant's independent claims.

The addition of Bonomi does not cure the shortcomings of Perkes and thus does not disclose or suggest Applicant's subject matter, as set forth in the independent claims. Nor is there any reason to combine and modify the teachings of these references in an attempt to arrive at Applicant's claimed subject matter.

For example, in regard to Applicant's recited feature set forth in, for example, independent claim 1: "service components for a given service being transmitted in a time-sliced manner on a given channel," the Examiner cites Figure 11a and column 28, lines 5 to 25 as being relevant. Figure 11a of Bonomi depicts a display of an electronic service guide, which is arranged in a grid-like fashion with rows pertaining to time periods and columns to channels. The Examiner appears to contend that the programs (e.g. Platoon and Alien Resurrection) of

Figure 11a of Bomomi are service components of a service that are time-sliced, as claimed. Applicant respectfully disagrees with this analysis and interpretation.

As disclosed at pages 9-10 of Applicant's specification and shown in Figure 2, in accordance with embodiments of the invention, the service components relating to a particular service may be transmitted in a burst over a DVB-T network. First and second bursts 30, 31 have a duration ('duration 1,' 'duration 2') defined by start and end times ('start time 1,' 'start time 2'; 'end time 1,' 'end time 2'). The bursts are transmitted with an interval ('interval 1') between the end of the first burst and the start of the second burst. In this example, each burst commences with ESG data (ESG 1, ESG 2). The content of consecutive bursts 30, 31 may be the same, or they may be at least partly different. Instead of a burst containing all service components for a set and containing service components relating only to that set, one burst may comprise any number of the service components of a service, or it may contain service components from one or more services or services sets. The order in which the service components and the ESG data are in the burst may be determined by the multicast service system or by the multicast operator.

Applicant's independent claim 1 is clarified to recite "wherein the service components are transmitted in bursts with an interval between end of a first burst and start of a second burst, and content of consecutive bursts is the same or at least partly different." Corresponding amendments are made to the remaining independent claims.

Such features in Applicant's claimed methods and apparatus are not disclosed or suggested by Perkes and/or Bonomi. Nor is there any reason to combine and modify these references in an attempt to arrive at this claimed subject matter. Thus, the Examiner obviousness rejection should be reconsidered and withdrawn.

Accordingly, for reasons set forth above, Applicant's independent claims 1, 10, 19, 23, 28 and 33 are patentable in view of the cited art. All remaining dependent claims also are patentable at least in view of their dependency from an allowable independent claim. For completion, it is noted that Paila, which was cited by the Examiner in combination with Bonomi in the rejection of Applicant's dependent claims, does not cure the shortcomings of

Bonomi. For example, Paila does not disclose or suggest Applicant's recited features regarding time-slicing. Accordingly, for this additional reason, the Examiner's rejection of dependent claims 3-4, 11, 13, 21-22, 25-27 and 34 should be reconsidered and withdrawn.

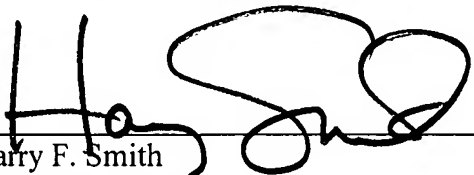
No new issues requiring further search and/or consideration are presented, and the Examiner is thus respectfully requested to enter and consider this Amendment, which is believed to place the application in condition for immediate allowance.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the outstanding objections and rejections, and allow the subject application. A Notice of Allowance is therefore earnestly requested.

The Examiner also is kindly requested to provide Applicant with an initialed copy of the 1449 Form regarding the Supplemental IDS filed on February 17, 2009.

Should the Examiner have any questions, a call to the undersigned at the telephone number indicated below would be appreciated.

Respectfully submitted,

  
\_\_\_\_\_  
Harry F. Smith  
(Reg. No. 32,493)

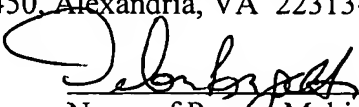
5/21/2009  
\_\_\_\_\_  
Date

**Customer No.: 29683**  
Harrington & Smith, PC  
4 Research Drive  
Shelton, CT 06484-6212  
203-925-9400

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date shown below in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

May 21, 2009  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Name of Person Making Deposit